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FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Secretary-General

SUMMARY

The present report contains the revised 1997 resource requirements of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

Pending the issuance of the report of the Office of Internal Oversight Services, the General Assembly, by its resolution 51/215 of 18 December 1996, appropriated resources in the amount of $20,871,100 net ($23,114,950 gross) for the period from 1 January to 30 June 1997 in order to meet the immediate operational requirements of the Tribunal. The report of the Office of Internal Oversight Services (A/51/789) was issued on 6 February 1997.

The present report details the revised requirements of the Tribunal to enable it to fulfil its mandate effectively, taking into consideration the views of the Office of Internal Oversight Services as set forth in its report. The revised level of resources requested for the period from 1 January to 31 December 1997 amounts to $41,366,600 net ($46,435,000 gross) and reflects a net increase of $4,871,900 and an additional 56 posts over the 1996 appropriation and authorized staffing level.

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I. INTRODUCTION

1. The terms of reference of the International Tribunal were established by the Security Council in its resolution 955 (1994) of 8 November 1994.

2. The total appropriation for the International Criminal Tribunal for Rwanda for 1996 amounted to $36,494,700 net ($40,161,900 gross). By its resolution 51/215 of 18 December 1996, the General Assembly decided to appropriate an amount of $20,871,100 net ($23,114,950 gross) for the period from 1 January to 30 June 1997 pending issuance of the report of the Office of Internal Oversight Services on the Tribunal conducted in response to General Assembly resolution 50/213 C of 7 June 1996. The report (A/51/789) was issued on 6 February 1997.

3. In its resolution 50/213 C of 7 June 1996, the General Assembly had requested the Secretary-General to report fully on both the receipt and the application of extrabudgetary funds when preparing future budget proposals for the Tribunal so as to ensure transparency as to the use and purpose of such funds. The format of the present report, detailing 1996 and 1997 estimates of expenditure by programme, together with information on gratis personnel and cash contributions (see annex I), seeks to satisfy this request.

4. The present report takes into account the observations of the Office of Internal Oversight Services concerning both operational and resource requirements of the Tribunal. In order to enhance the work of the Office of the Prosecutor in Kigali and to strengthen the operation of the Registry, both organizational and staffing requirements of the Tribunal have been reassessed. With regard to the Office of the Prosecutor, a critical review by the Prosecutor of the operations of the Office at The Hague and the Office of the Deputy Prosecutor at Kigali has indicated the need to strengthen and streamline both offices in such areas as staffing and communications. In the case of the Kigali office, it is proposed to reorganize that office. In particular, the interpretation service of the Office of the Prosecutor has now been relocated to the Interpretation and Conference Services of the Registry, and the Tracking Team (formerly known as the Strategy Team), the Legal Services Section and the Witness/Victims Liaison Unit have been reorganized. As concerns the Registry, the newly appointed Registrar of the Tribunal, in consultation with the Secretariat, has made a detailed and critical review of the work of the Registry in both of its main functions - judicial and legal services, and administrative services - in order to improve its responsiveness and to eliminate weaknesses identified in the area of staffing, in particular, the quality of supervisory-level staff. In addition, a concerted effort has been made to improve the administrative support arrangements for the Office of the Deputy Prosecutor at Kigali. Further, the security situation in Kigali has become of serious concern and a recent assessment mission by the Deputy Chief of Security, New York, has made a number of recommendations including a substantial increase in the staffing of the Kigali office, provision of both personnel and physical (property) safeguards, and adequate escorts for the Investigation Teams while on field missions.

5. Although the report of the Office of Internal Oversight Services indicated management problems in the administration of the Tribunal, particularly in the

area of financial management systems, internal control and property management, it should be noted that these shortcomings were attributable to the lack of adequate staffing, notably the lack of qualified and experienced supervisory personnel for some of the most critical positions, issues which the Tribunal, with the assistance of the Secretariat, is actively addressing. No fraud or presumptive fraud was identified, and complaints directed towards the Administration of the Tribunal were deemed unfounded.

6. The present report contains revised resource requirements of the Tribunal for the period from 1 January to 31 December 1997 in the amount of $41,366,600 net ($46,435,000 gross) and reflects a net increase of $4,871,900 and an additional 56 posts over the 1996 appropriation and authorized staffing level. In calculating the cost of posts, a revised standard for common staff costs has been used for 1997 based on 1996 experience. For the United Republic of Tanzania and Rwanda, the new common staff costs rates used are 65 per cent and 50 per cent, respectively, compared with the previous rate of 80 per cent.

7. The Tribunal, with its headquarters in Arusha, United Republic of Tanzania, and its Office of the Prosecutor in Kigali, Rwanda, consists of the following organs: the Chambers; the Office of the Prosecutor; and the Registry, servicing both the Chambers and the Office of the Prosecutor.

8. In accordance with article 12 of the statute of the Tribunal, the five judges of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 shall also serve as members of the Appeals Chamber of the International Criminal Tribunal for Rwanda.

9. Further, paragraph 3 of article 15 of the statute of the Tribunal for Rwanda states that the Prosecutor of the Yugoslavia Tribunal shall also serve as the Prosecutor of the Rwanda Tribunal.

10. The distribution of the revised estimates of the International Criminal Tribunal for Rwanda for 1997 would be as shown in table 1, with information also provided for the six-months appropriation, 1 January to 30 June 1997, authorized by the General Assembly. Column (d) in table 1, "Resource change", shows the difference between the appropriation for 1996 and the revised estimates presented in the present report. The increases reflect the assessment of the requirements of the Tribunal coming into full operation, with a schedule of trials, estimated at six, extending for the first time throughout the year, and reflects the needs of the Tribunal for additional resources in the light of the recommendations of the Office of Internal Oversight Services. An additional 56 posts are proposed, as indicated in table 3. Column (c) in table 3 reflects the increases or decreases of the revised estimates for posts for 1997 against the 1996 authorized staffing level. The proposed structure and post distribution for the Chambers, the Office of the Prosecutor and the Registry are indicated in the organigrammes of annexes II, III and IV, respectively.

11. In the Office of the Prosecutor, the additional posts are intended to strengthen operations at Kigali, to improve the investigation and crime analysis capacity, the legal advisory services, as well as information and documentation

of the Prosecution. In the Registry, efforts are being made to strengthen and streamline Administrative Services through reorganization of the structure. This is reflected in the current proposals for additional posts which take into consideration the responsibilities of the essential areas of legal advisory and judicial services, financial management and property control, personnel management, administration of the Kigali office and the strengthening of the Language and Conference Services. In a number of cases, reclassification of posts has been requested as a reflection of the level of responsibility required.

12. In addition, one of the primary concerns of the Tribunal is the full establishment of the witness and victims protection programme, which during the course of 1996 was established through funding from the Voluntary Fund of the Tribunal. Although it remains in its early stages of development, this is a critical programme of the Tribunal. In this context, although proposals are included in the present revised estimates for victims and witness protection, the Tribunal proposes to continue to utilize resources provided under the Voluntary Fund to finance additional activities related to the programme.

Table 1. Summary of requirements by organ

(Thousands of United States dollars)

A. Assessed budget

	(a) 1996 appropriation*	(b) 1 January to 30 June 1997 appropriation	(c) Revised estimates 1 January to 31 December 1997	(d) Resource change (c) - (a)
Chambers	1 056.1	1 109.4	2 070.9	1 014.8
Office of the Prosecutor	8 832.0	10 206.2	12 435.6	3 603.6
Registry	26 606.6	9 555.5	26 860.0	253.4
Subtotal A	36 494.7	20 871.1	41 366.6	4 871.9

B. Extrabudgetary resources

	1996	Revised estimates 1 January to 31 December 1997	Resource change
Chambers	0.0	0.0	0.0
Office of the Prosecutor	479.8	582.7	102.9
Registry	1 514.1	1 238.6	(275.5)
Subtotal B	1 993.9	1 821.3	(172.6)
Grand total A + B	38 488.6	43 187.9	4 699.3

* According to the report of the Secretary-General (A/C.5/51/29 and Corr.1) as adjusted for the relocation of Interpretation Services from the Office of the Prosecutor to the Registry.

Table 2. Summary of requirements by object of expenditure

(Thousands of United States dollars)

A. Assessed budget

Object of expenditure	(a) 1996 appropriation[a]	(b) 1 January to 30 June 1997 appropriation	(c) Revised estimates 1 January to 31 December 1997	(d) Resource change (c) - (a)
Temporary posts	14 982.8	15 677.8	29 639.3	14 656.5
Salaries and allowances of judges	539.1	447.2	894.4	355.3
Common costs of judges	143.7	9.8	19.5	(124.2)
Temporary assistance for meetings	352.0	176.0	0.0	(352.0)
Other staff costs	50.0	50.0	2 063.0	2 013.0
Consultants and experts	1 479.0	0.0	150.0	(1 329.0)
Travel	1 441.1	790.6	1 716.4	275.3
Contractual services	3 131.3	2 242.0	1 724.6	(1 406.7)
Hospitality	5.0	2.5	5.0	0.0
General operating expenses	2 701.0	870.0	2 427.9	(273.1)
Supplies and materials	749.3	374.6	955.6	206.3
Furniture and equipment	4 571.0	230.6	1 770.9	(2 800.1)
Construction/alterations to premises	6 349.4	0.0	0.0	(6 349.4)
Subtotal A	36 494.7	20 871.1	41 366.6	4 871.9

B. Extrabudgetary resources

Object of expenditure	1996	Revised estimates 1 January to 31 December 1997	Resource change
Temporary posts	479.8	1 165.2	685.4
General temporary assistance	128.1	594.1	466.0
Travel	0.0	35.0	35.0
General operating expenses	1 168.2	27.0	(1 141.2)
Supplies and materials	9.6	0.0	(9.6)
Furniture and equipment	208.2	0.0	(208.2)
Subtotal B	1 993.9	1 821.3	(172.6)
Grand total A + B	38 488.6	43 187.9	4 699.3

* According to the report of the Secretary-General (A/C.5/51/29 and Corr.1).

Table 3. Temporary post requirements for 1997

A. Assessed budget

Category	(a) 1996	(b) Revised estimates 1 January to 31 December 1997	(c) Increase/ (decrease)
Professional category and above			
ASG	1	1	0
D-2	1	1	0
D-1	3	3	0
P-5	8	13	5
P-4	43	47	4
P-3	71	84	13
P-2/1	60	56	(4)
Subtotal	187	205	18
General Service and other categories			
General Service (Principal level)	4	5	1
General Service (Other level)	37	43	6
Field Service	11	12	1
Security Service	37	48	11
Security Service (Local)	22	22	0
Local level	84	103	19
Subtotal	195	233	38
Subtotal A	382	438	56

B. Extrabudgetary resources

Category	1996	Revised estimates 1 January to 31 December 1997	Increase/ (decrease)
P-4	0	2	2
P-3	4	15	11
P-2	0	3	3
LL	0	4	4
Subtotal B	4	24	20
Grand total A + B	386	462	76

C. Gratis personnel as at 1 April 1997*

Function	Number of personnel
Investigator	26
Investigator/Computer Analyst	4
Legal Adviser	4
Total C	34

* See the table in annex I for a more detailed breakdown of gratis personnel.

II. THE CHAMBERS

Table 4. Summary of requirements by object of expenditure

(Thousands of United States dollars)

Assessed budget

Object of expenditure	(a) 1996 appropriation	(b) 1 January to 30 June 1997 appropriation	(c) Revised estimates 1 January to 31 December 1997	(d) Resource change (c)-(a)
Temporary posts	282.2	561.3	990.7	708.5
Salaries and allowances of judges	539.1	447.2	894.4	355.3
Common costs of judges	143.7	9.8	19.5	(124.2)
Travel	91.1	91.1	166.4	75.3
Total	1 056.1	1 109.4	2 070.9	1 014.8

Table 5. Temporary post requirements for 1997

Assessed budget

Category	1996	Revised estimates 1 January to 31 December 1997	Increase/ (decrease)
P-2/1	6	6	0
Subtotal	6	6	0
General Service and other categories			
General Service (Other level)	6	6	0
Subtotal	6	6	0
Total	12	12	0

Activities

13. During 1996, the second plenary was held at the Arusha headquarters from 8 to 12 January 1996. The judges (from both the Trial Chambers and the Appeals Chamber) adopted amendments to the Rules of Procedure and Evidence, the Rules on Preventive Detention and the Directive on the Assignment of Defence Counsel.

14. The third plenary of the Tribunal was held at The Hague from 1 to 5 July 1996, during which a number of substantive issues were reviewed and decisions taken. In 1997 it is planned to hold two plenary sessions, one at Arusha and one at The Hague. The first plenary session for 1997 is scheduled for 31 May and although the date of the second plenary session for the year will only be established at the first 1997 session, it is expected to be held in November.

15. With a view to ensuring that the conditions of detention would be consistent with the standards it had approved, the Bureau of the Tribunal authorized the President to enter into an agreement with the International Committee of the Red Cross (ICRC) to act as the independent authority responsible for inspecting the Tribunal's detention facility. Recent inspection by ICRC confirmed the Tribunal's detention facility to be of an acceptable standard.

16. By 30 October 1996, the judges of the Trial Chambers had confirmed indictments of 21 persons, out of 22, and issued the necessary warrants of arrest. Thirteen of these have been arrested: 11 have been transferred to the Tribunal's detention facility in Arusha (4 of whom were handed over by the Government of Cameroon in January 1997); 1 is in detention in the United States of America and 1 is in Switzerland.

17. The Trial Chambers have held four public hearings of requests for deferral submitted by the Prosecutor and have requested the national courts of Belgium, Cameroon, Switzerland and the United States to defer to the competence of the Tribunal the criminal proceedings currently before those courts.

18. The three detainees arrested by the Government of Zambia and the four detained by the Government of Cameroon were transferred to the custody of the Tribunal on 26 May 1996 and 23 January 1997, respectively, and had their initial appearance before Trial Chambers. They pleaded not guilty and had their trial dates set by the Chambers.

19. All six trial judges of the Tribunal have taken up residence in Arusha and are fully engaged in carrying out their judicial responsibilities, including confirmation of indictments, issuance of warrants of arrest of the accused and review of requests for deferral to the competence of the Tribunal. The first trial of the Tribunal started on 9 January 1997 and it is expected that in 1997 both Trial Chambers will be initiating up to 6 trials.

Resource requirements

Temporary posts

20. The estimated requirements of $990,700 relate to salaries and common staff costs of the existing six legal assistants at the P-2 level and six secretaries at the General Service (Other level) to provide support to the six judges.

21. Throughout the present report, support posts in Arusha and Kigali are differentiated between those with international service conditions (General Service (Principal) and General Service (Other level) categories) and those for which local conditions of service would apply (Local level).

Salaries and allowances of judges

22. The estimated requirements of $894,400 are based on the proposals outlined in the report of the Secretary-General on conditions of service and allowances of the members of the Tribunal for the former Yugoslavia (A/C.5/49/11) and takes into account the recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/49/7/Add/12). These estimates include:

(a) Annual salary for each of the six judges at $145,000;

(b) Special allowance of $15,000 per annum for the President;

(c) An additional special allowance for the Vice-President of $94 for each day he acts as President, up to the maximum of $9,400 per year.

Common costs of judges

23. A provision of $19,500 is requested for the education grant requirements of the judges concerned.

Official travel

24. Resources estimated at $166,400 are requested for the travel of both the trial and the appeal judges, as follows:

(a) The President (Arusha/New York/Arusha): for consultations and to present his annual report to the General Assembly and the Security Council ($5,300);

(b) Five appeal judges (The Hague/Arusha/The Hague): estimated at four trips for the hearing of appeal cases ($116,900);

(c) Plenary sessions (The Hague/Arusha/The Hague): estimated on the basis of one session to be held at Arusha and one at The Hague ($29,200);

(d) Miscellaneous travel related to travel of the judges and legal assistants while representing the Chambers ($15,000).

III. OFFICE OF THE PROSECUTOR

Table 6. Summary of requirements by object of expenditure

(Thousands of United States dollars)

A. Assessed budget

Object of expenditure	(a) 1996 appropriation*	(b) 1 January to 30 June 1997 appropriation	(c) Revised estimates 1 January to 31 December 1997	(d) Resource change (c)-(a)
Temporary posts	6 578.0	9 091.7	11 535.6	4 957.6
Consultants and experts	1 454.0	739.5	150.0	(1 304.0)
Contractual services	50.0	0.0	0.0	(50.0)
Travel	750.0	375.0	750.0	0.0
Subtotal A	8 832.0	10 206.2	12 435.6	3 603.6

B. Extrabudgetary resources

Object of expenditure	1996	Revised estimates 1 January to 31 December 1997	Resource change
General temporary assistance	0.0	6.0	6.0
Temporary posts	239.4	541.7	302.3
Travel	0.0	35.0	35.0
Subtotal B	239.4	582.7	343.3
Grand total A + B	9 071.4	13 018.3	3 946.9

* According to the report of the Secretary-General (A/C.5/51/29 and Corr.1), as adjusted for the relocation of Interpretation Services from the Office of the Prosecutor to the Registry.

Table 7. Temporary post requirements for 1997

A. Assessed budget

Category	1996[a]	Revised estimates 1 January to 31 December 1997	Increase/ (decrease)
Professional category and above			
D-2	1	1	0
D-1	1	1	0
P-5	7	8	1
P-4	23	28	5
P-3	38	41	3
P-2/1	35	37	2
Subtotal	105	116	11
General Service and other categories			
General Service (Principal level)	1	1	0
General Service (Other level)	17	18	1
Subtotal	18	19	1
Total A	123	135	12

B. Extrabudgetary resources

Category	1996	Revised estimates 1 January to 31 December 1997	Increase/ (decrease)
P-4	0	1	1
P-3	4	12	8
P-2	0	1	1
Total B	4	14	10
Grand total A + B	127	149	22

C. Gratis personnel as at 1 April 1997

Contributor	Function	Number of personnel
Canada [b]	Investigator	6
Denmark	Legal Adviser	1
Germany	Legal Adviser	1
Netherlands	Investigator	15
Norway	Investigator	1
Sweden	Investigator	1
United Kingdom	Investigator/Team Leader	1
United States of America	Investigator/Legal Officer	1
United States of America	Investigator	2
United States of America	Investigator/Computer analyst	4
Total C		33

[a] For presentational purposes, the 1996 appropriation has been adjusted to reflect the relocation of Interpretation Services resulting in the move of 39 posts (10 P-4, 19 P-3, 8 P-2, 1 GSP and 1 GSO) from the Office of the Prosecutor to the Registry.

[b] Funded by a contribution from the Government of the Netherlands.

Activities

25. The Office of the Prosecutor has focused its investigations and prosecutions on those individuals, particularly in leadership positions, who were most responsible for the mass killings that occurred in Rwanda in 1994. Even though its base of operation is in Kigali, the Office has undertaken a certain proportion of its investigation work outside of Rwanda.

26. As detailed in the previous report of the Secretary-General (A/C.5/51/29), the Office had completed investigations, and submitted indictments, on 22 accused, of which 21 have been confirmed by the judges. Thirteen of these have been arrested and 11 are in the custody of the Tribunal (four of whom were transferred by the Government of Cameroon in January 1997). In 1997, at least nine cases are expected to be submitted for indictment. The Office has also submitted and received approval from the Trial Chambers for five of its requests for deferral to the competence of the Tribunal by the Governments of Belgium, Cameroon, Switzerland and the United States (see para. 17 above).

27. The Prosecution commenced its first trial on 9 January 1997 and has undertaken a heavy trial schedule. At the time of writing, three trials are under way and it is estimated that two more will begin during the summer. In addition to the trial work, investigations continue with the aim of securing additional indictments. The security situation in Rwanda since February has prevented investigators from undertaking missions outside Kigali. The situation has led to a reconsideration of the investigative strategy, which most likely will result in more investigations taking place outside Rwanda. The Prosecutor expects to submit a number of indictments for confirmation in 1997.

28. Since the initial stages of operation of the Tribunal, the Office of the Prosecutor has utilized the services of gratis personnel at its Kigali office to assist in the implementation of its functions. It plans to continue with these gratis personnel in its investigative/analytical functions, as needed, and until such secondment arrangements are terminated with the Governments concerned. As of 1 April 1997, there were 33 gratis personnel in the Office of the Prosecutor.

Resource requirements

Staff costs

29. Revised resource requirements ($11,535,600) would provide for the continuation of the 123 temporary posts authorized in 1996 and 12 new posts under the assessed budget detailed by level in table 7 and distributed as in annex III. This reflects the structural relocation of the Interpretation Service from the Office of the Prosecutor to the Registry, as well as the establishment of the Legal Advisory Group in Kigali and a smaller office at The Hague. For ease of comparison, the movement of the 39 posts from the Interpretation Service has already been reflected in the 1996 base appropriation.

30. As to the costing of the 12 new posts in the Office of the Prosecutor, as well as the new posts in the Registry, in view of the earliest confirmation of these posts at 1 July 1997, should the General Assembly approve the proposals in the second part of its resumed fifty-first session, these new posts have been costed at a vacancy rate of 50 per cent for a six-month period only (i.e., a dollar provision equal to three months full funding).

31. Immediate office of the Prosecutor. The existing staffing of the immediate office of the Prosecutor at The Hague, consisting of three posts, will be maintained. Additional support related to legal matters would be provided by the Legal Advisory Group (formerly part of the Legal Services Section) as detailed below (see para. 37).

32. Office of the Deputy Prosecutor-Kigali. The Deputy Prosecutor is located in Kigali. A new Deputy Prosecutor has been appointed and his function would be to supervise and manage the work of the office in Kigali and to liaise with the Government of Rwanda and other governmental and non-governmental organizations. Administrative backstopping and judicial and general legal assistance for the Prosecutor's Office at Kigali is to be provided by the Registry. It is proposed to maintain the existing staffing level of the office, consisting of the Deputy Prosecutor at the D-2 level, one P-4 post responsible for in-office matters and

external relations with the Government of Rwanda and other organizations, and one General Service (Other level) post for secretarial/administrative support.

33. Prosecution Section. Estimating up to six trials annually, it is proposed to constitute four Prosecution Teams, each headed by a Senior Trial Attorney at the P-5 level assisted by Attorneys/Case Managers at the P-4, P-3 and P-2 levels. Secretarial support would be provided by five General Service (Other level) posts. Consequently, it is proposed to augment the present 16 posts of the section with five new posts: four P-4 and one P-3.

34. This section would be supported by two Legal Advisers/Officers provided as gratis personnel by the Governments of Denmark and Germany.

35. Investigation Section. This section, headed by a Director of Investigations at the D-1 level, consists of nine multidisciplinary Investigation Teams, a Tracking Team (formerly known as the Strategy Team), a Forensic Unit and a newly established Witnesses and Victims Liaison Unit. The Interpretation Service, formerly part of this Section has been relocated to the Registry. In 1997, the total complement of the Investigation Section would consist of 95 posts (1 D-1, 3 P-5, 22 P-4, 32 P-3, 31 P-2 and 6 GS (OL)), which is inclusive of proposals for four new posts: one P-4, one P-3 and two P-2 for the Witnesses and Victims Liaison Unit.

36. This section would be supported by 12 P-3 and 1 P-2 level posts for investigators and forensic experts funded from the Voluntary Fund, as well as 31 Investigator/Analysts provided as gratis personnel by the Governments of Canada, the Netherlands, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

37. Legal Advisory Group (formerly Legal Services Section). A newly constituted Legal Advisory Group is proposed in Kigali comprising three new posts: P-5, P-3 and General Service (Other level). The existing P-4 and P-3 level posts currently based at The Hague as part of the former Legal Services Section would form part of this newly formed group. In addition, one P-4 post in Kigali would be financed from the Voluntary Fund. The functions of this group would be to provide back-up to the investigation and prosecution work of the Tribunal in all matters of criminal and international law and to provide advice to the Prosecutor, enabling her to benefit from information on specific issues that arise on cases of investigation and prosecution in Rwanda and in the United Republic of Tanzania.

38. Information and Evidence Support (formerly Information and Records Section). This section is responsible for receiving, processing and archiving information, evidence and other material collected by investigators. In view of the security situation in Kigali, all evidence and original documents are already being transferred to The Hague for safekeeping. Information will be stored in a database to be accessed by investigators and analysts. It is proposed to maintain the present staffing of this section, consisting of eight posts at the P-3, P-2 and General Service (Other level) levels. Further, resources have been requested under consultancy (see para. 39) for the expertise of an information and records system development expert to develop a database similar to the database already in use at The Hague, ensuring the

self-sufficiency of the Rwanda Tribunal but maintaining compatibility with the operations of the Tribunal for the former Yugoslavia. Upon finalization of the review by the consultant, implementation of the recommendations would in part be funded through resources from the Voluntary Fund.

Consultants and experts

39. Resources in the amount of $150,000 are requested to provide for testimony by expert witnesses in the areas of forensic science and cartography ($100,000) and for the development of the information and records systems ($50,000). It is proposed to engage the services of a systems development expert to initiate and provide guidance for a total improvement of existing arrangements. In addition, depending on the advice received from the expert, resources from the Voluntary Fund would be used for implementation of improvements.

Travel

40. Resources estimated at $750,000 are requested to provide for travel within Rwanda, to neighbouring countries and to Europe, North America and the Middle East. For travel within Rwanda, Investigation Teams which travel for periods of three to five days are composed of three investigators accompanied by a translator, a driver and one or two international security officer(s). For travel outside Rwanda, two investigators are required each time to question witnesses and suspects residing abroad. As indicated in paragraph 27 above, owing to the security situation within Rwanda, travel has been restricted for investigation work in the country. However, the Prosecution intends to intensify its investigations outside Rwanda.

IV. THE REGISTRY

Table 8. Summary of requirements by object of expenditure

(Thousands of United States dollars)

A. Assessed budget

Object of expenditure	(a) 1996 appropriation[a]	(b) 1 January to 30 June 1997 appropriation	(c) Revised estimates 1 January to 31 December 1997	(d) Resource change (c)-(a)
Temporary posts	8 122.6	6 024.8	17 113.0	8 990.4
Temporary assistance for meetings	352.0	176.0	0.0	(352.0)
Other staff costs	50.0	50.0	2 063.0	2 013.0
Consultants and experts	25.0	1 500.0	0.0	(25.0)
Travel	600.0	324.5	800.0	200.0
Contractual services	3 081.3	2.5	1 724.6	(1 356.7)
Hospitality	5.0	2.5	5.0	0.0
General operating expenses	2 701.0	870.0	2 427.9	(273.1)
Supplies and materials	749.3	374.6	955.6	206.3
Furniture and equipment	4 571.0	230.6	1 770.9	(2 800.1)
Construction/ Alterations to premises	6 349.4	0.0	0.0	(6 349.4)
Subtotal A	26 606.6	9 555.5	26 860.0	253.4

B. Extrabudgetary resources

Object of expenditure	1996	Revised estimates 1 January to 31 December 1997	Resource change
Temporary posts	0.0	623.5	623.5
General temporary assistance	128.1	588.1	460.0
General operating expenses	1 168.2	27.0	(1 141.2)
Supplies and materials	9.6	0.0	(9.6)
Furniture and equipment	208.2	0.0	(208.2)
Subtotal B	1 514.1	1 238.6	(275.5)
Grand total A + B	28 120.7	28 098.6	(22.1)

* According to the report of the Secretary-General (A/C.5/51/29 and Corr.1), as adjusted for relocation of Interpretation Services from the Office of the Prosecutor to the Registry.

Table 9. Temporary post requirements for 1997

A. Assessed budget

Category	1996[a]	Revised estimates 1 January to 31 December 1997	Increase/ (Decrease)
Professional category and above			
ASG	1	1	0
D-2	0	0	0
D-1	2	2	0
P-5	1	5	4
P-4	20	19	(1)
P-3	33	43	10
P-2/1	19	13	(6)
Subtotal	76	83	7
General Service and other categories			
General Service (Principal level)	3	4	1
General Service (Other level)	14	19	5
Security Service	37	48	11
Security Service (Local)	22	22	0
Local level	84	103	19
Field Service	11	12	1
Subtotal	171	208	37
Total A	247	291	44

B. Extrabudgetary resources

Category	1996	Revised estimates 1 January to 31 December 1997	Increase/ (Decrease)
P-4	0	1	1
P-3	0	3	3
P-2	0	2	2
LL	0	4	4
Total B	0	10	10
Grand total A + B	247	301	54

C. Gratis personnel as at 1 April 1997

Contributor	Function	Number of personnel
Denmark	Legal Adviser/Officer	1
Total C		1

* For presentational purposes, the 1996 appropriation has been adjusted to reflect the relocation of interpretation services resulting in the move of 39 posts (10 P-4, 19 P-3, 8 P-2, 1 GSP and 1 GSO) from the Office of the Prosecutor to the Registry.

Activities

41. The Registry has established all essential services, including the detention facility and the Victims and Witnesses Support Section. The Registrar, in consultation with the Prosecutor and the President of the Tribunal intends to elaborate further the policy and operations related to the victims and witnesses protection programme and hence the unit directly responsible for that activity. The Tribunal has also drawn up the legal instruments necessary for its efficient functioning, namely, the Directive on Assignment of Defence Counsel, the Rules of Preventive Detention of Persons Awaiting Judgement or on Appeal before the Tribunal or Detained by order of the Tribunal, the Agreement between the Tribunal and ICRC on the inspection of conditions in the Tribunal's detention facility governing communications and has issued the Directive on the Protection of Witnesses.

42. The Registrar has transmitted arrest warrants for 21 accused to the responsible authorities of the countries in which the accused are believed to be residing. He has also transmitted the deferrals and orders for provisional detention to the Governments concerned (see para. 17). Two orders for transfer and provisional detention of suspects in Cameroon were issued in 1997.

43. The Registrar implemented the Directive on the Assignment of Defence Counsel by establishing an official list of lawyers who could be assigned as counsel for the suspects or the accused. He has appointed an Advisory Panel to assist him in the setting of fees to be paid for the defence and has also established the appropriate mechanism to determine whether the accused is indigent as stipulated in the statute of the Tribunal.

44. The Tribunal will complete the construction of its detention facility by the end of May 1997. It has custody of 11 of the accused, who have been indicted. The detention facility will be operated according to the standards set by the Tribunal and is subject to inspection by ICRC (see para. 15).

45. The fourth floor in the Kilimanjaro wing of the Arusha International Conference Centre (AICC) was renovated and construction completed to provide office accommodation for the judges and one of the two courtrooms. The construction of the second permanent courtroom and remodelling of the remaining office areas is envisaged to be completed by the end of 1997. In the interim, consideration is being given for the establishment of temporary courtroom facilities to avoid delays in trial proceedings.

46. Efforts were made to procure the basic requirements of the Tribunal in both Arusha and Kigali in 1996. Vehicles, computers and office equipment required to start up the operation of the Tribunal have for the most part been identified and procured. The appropriate offices have now received some of these items, but more is still to be done. However, the Tribunal's efforts have been frustrated owing to lack of staffing or staff with inadequate qualifications.

47. More recently, the recruitment of staff through secondment from United Nations offices and external recruitment has improved but the results are not entirely satisfactory as the Tribunal is not attracting or holding qualified staff to cover all the functions. Filling of senior posts on a more long-term basis with qualified personnel has been slow; the practice of filling posts through temporary assignment has only helped marginally. The Registry is now engaged in the reorganization and recruitment of senior staff in both the Judicial and Legal Services and the Administration. The Kigali administrative section is being strengthened to readily provide services to the Office of the Prosecutor, through delegated authority from the Chief of Administration. Particular attention has been given to security and safety concerns.

Resource requirements

Staff costs

48. The Registry is now emerging from its start-up stage. The new Registrar has reviewed and made a critical analysis of the staffing as it relates to the activities of the Tribunal. Resource requirements for the Registry for 1997 are estimated at $17,113,000 to finance 291 posts as indicated in table 9 and distributed as per annex IV.B and C. This represents an increase of 44 new posts over the authorized 1996 level.

49. Immediate office of the Registrar. It is proposed to maintain the current staffing level which provides for an Assistant Secretary-General, one personal

assistant at the General Service (Principal) level and one secretary at the Local level.

50. Press and Information Unit. The present staffing of the unit, consisting of three posts, is to be maintained. The function of the unit is to inform the public of the Tribunal's activities, including liaison with governmental and non-governmental organizations and United Nations agencies.

51. Judicial and Legal Services. This office comprises the immediate office of the Deputy Registrar, Judicial Support and Court Management, the Victims and Witnesses Support Section, and General Legal Services. It is undergoing organizational changes so as to make it responsible to the needs of the Judiciary, the Prosecution and the Defence and to supervise closely the operations of the victims and witnesses protection programme. The whole service currently consists of 16 posts (one D-1, one P-5, three P-4, two P-3, four General service (Other level) and five Local level staff).

52. As concerns the Victims and Witnesses Support Section, in view of the overall objective of the Tribunal to ensure a free, fair and impartial trial process, the section was established in mid-1996 from resources of the Voluntary Fund. In 1997, it is proposed to regularize the staffing under the assessed budget and to strengthen the unit by improving the administrative, logistical and physical protection support to be provided. It will be necessary to issue a policy and operational manual so as to clearly set the guidelines on the operation of the programme. Five new posts under the assessed budget are proposed: one P-4, one P-3, and three General Service (Other level), to be augmented by six posts under the Voluntary Fund (two P-3, two P-2 and two LL).

53. Immediate office of the Chief of Administration. The present staffing level of five posts for this office would be maintained. As indicated in the budget for the prior year, the staffing level reflects the requirements of the office at the headquarters in Arusha and includes the two General Service (Other level) posts in New York to assist the Office of Human Resources Management (OHRM) in the provision of personnel services to the Tribunal. The requirements for the Kigali Administrative Services are shown separately (see para. 61).

54. Budget and Finance Section. In view of the issues raised by the Office of Internal Oversight Services with regard to financial administration and internal control systems, it is proposed to augment the staffing in this area by reclassifying the Chief from P-4 to P-5 and the Deputy Chief from P-3 to P-4, and by increasing the present total staffing level of the section of 11 posts by two new posts: two General Service (Other level).

55. Personnel Section. Human resources management in the Tribunal has proved to be complex and extensive owing to the various functions (investigation, legal, judicial, administrative, etc.) in which the Tribunal is engaged in seeking recruitment and servicing. It is anticipated that the Tribunal will soon be delegated the authority to recruit and administer Professional and higher-level staff. This had been suspended pending the report of the Office of Internal Oversight Services. The establishment of appointment and promotion bodies and other personnel functional committees would entail extensive responsibilities and additional workload for the section. It is, therefore,

proposed to upgrade the Chief of Section from P-4 to P-5 and to increase the present total staffing level of seven posts by four new posts: one P-3, one General Service (Principal) level and two Local level.

56. General Services Section. Following a review of the operations of the Registry and in order to ensure streamlining of operations, in early 1997 the buildings management and transport functions were merged into the General Services Section. Also following under this general heading are the operations of the Management Information Service (MIS/EDP), which deals with the establishment of local area networking (LAN) and e-mail systems and the introduction of new applications; the Communications Section, which covers the requirements of video and sound operators to service the courts and provide other recordings; and the Transport Section, including drivers for the Investigation Teams, the judges, the Registrar and the Deputy Prosecutor.

57. The present staffing of the section consisting of 55 posts would be augmented by two new posts: one P-3 and one Field Service level. In view of the scope of activities of the section, one P-2 post within the complement of 55 posts is proposed for reclassification to the P-3 level for the head of the Communications Section.

58. Language and Conference Services. This section was formerly partly in the Office of the Prosecutor, Kigali and partly in the Registry in Arusha and has now been consolidated into a single support service under the Administrative Services Division of the Registry. Its activities have increased substantially because of the commencement of trials and the volume of documentation involved. In addition, it provides interpretation and translation services to the witnesses while under the victims and witnesses protection programme, and to the Investigation Teams on field missions. In this context, it is proposed to upgrade the position of the Chief of the Service from P-4 to P-5 in view of the increased responsibilities and the difficult operational logistics involved in assignment of staff between the offices in Kigali and Arusha, as well as to reclassify four P-2 level posts to the P-3 level and to classify downward two P-4 posts to the P-3 level. In addition, the present staffing complement of the section of 43 posts would be augmented by 17 new Local level interpreters in the light of the need for such interpreters to accompany the investigators on fieldwork in Kigali.

59. Security and Safety Section. A recent review of the conditions in Kigali and Arusha by the United Nations Deputy Chief of Security indicates the need to strengthen the present security services, particularly in Kigali. The Security and Safety Section of the Tribunal has complex tasks to perform in both Kigali and Arusha, in addition to its main task of safeguarding the staff and property of the Organization. The security task in Kigali is crucial, and includes escorting the Investigation Teams and securing the premises. In Arusha, the security task involves provision of personal protection to judges and the Registrar, managing the detention facility and the detainees, covering the courts during trials and transporting of the accused between the detention facility and the courts. This service also provides protection to the witnesses, both to court and defence witnesses. The Kigali office employs the services of a security firm to man the gates at the Amohoro Hotel and the Communication compound and to provide home security to the Deputy Prosecutor on

a 24-hour basis. The Government of the United Republic of Tanzania provides home security to the judges and the Registrar. The host Government also provides outside security at the detention facility and in the transportation of prisoners and witnesses under the company and supervision of the United Nations security personnel. The staffing of the Security and Safety Section in Arusha would consist of 46 posts, including 1 new international Security Service post. Staffing requirements for the security complement for the Kigali office are detailed in paragraph 61 below. Pending a full review of the recommendations of the report on the security assessment mission, resources have also been requested under general temporary assistance (see para. 62) to enable flexibility in addressing the Tribunal's security requirements at both the Arusha and the Kigali offices.

60. Procurement and Contracts Services. During 1997 the section will continue to function as at present, reporting to the Chief of Administration. The possibility of its merger into General Services may be considered in 1998 in line with continuing reviews of the operations of the Registry. The present staff complement consists of six posts: one P-4, one P-2, one General Service (Other level) and three Local level posts. Two new posts at the P-3 level are proposed for Procurement Officers, as well as two Local level posts to be funded from extrabudgetary sources.

61. Kigali Administrative Services. In order to provide full support to the operations of the Office of the Prosecutor in Kigali, it is proposed to augment the existing operations of the Administrative Services in Kigali, with delegated authority from the Chief of Administration in Arusha. The post of Chief of Section, Kigali, is proposed for reclassification from P-3 to P-5 in view of the level of responsibility involved, in addition to the upgrading of the Chief of Security (P-3 to P-4), and of the chiefs of General Services and Personnel from P-2 to P-3. Further, the present total staffing of the Kigali Administrative Services Section (53 posts) would be augmented by 11 new posts in the areas of finance and security and safety.

Other staff costs

62. Resources in the amount of $2,063,000 would provide for overtime ($50,000) and for general temporary assistance ($2,013,000) for the hiring of additional staff for short assignments during peak workload periods, as well as to provide for drivers and cleaners for operations in Arusha and Kigali and for other ad hoc jobs in information technology, communications, general labour requirements and security.

63. Pending a full review of the recommendations of the recent security assessment of the Tribunal, provision has been made for temporary assistance of an additional 23 international Security Officers (for Kigali and Arusha) and 19 locally recruited Security Officers in Arusha. These are supplementary to the eleven new Security Officer posts requested at paragraphs 59 and 61.

Travel

64. Resources in the amount of $800,000 are requested for:

(a) Travel of the Registrar and other staff of the Registry ($200,000) to Kigali, The Hague, New York, within Africa and other countries for consultation, meetings and other business, estimated at 25 to 30 trips;

(b) Travel of defence counsel based on at least six trials to be held in 1997 ($300,000);

(c) Travel of witnesses for both the Prosecution and the Defence, based on six trials and 30 Prosecution and 10 Defence witnesses per trial ($300,000).

Contractual services

65. An amount of $1,724,600 is requested for contractual services, consisting of: (a) external printing ($30,000) for the Tribunal Yearbook as well as general printing requirements of the Tribunal; (b) contractual security services ($299,600) with the Tanzanian Police and Prison Services in Arusha for police augmentation at the Arusha International Conference Centre (AICC) and the detention facility and for the transfer of prisoners and witnesses, and for a local guard company in Kigali; and (c) defence counsel ($1,395,000).

66. Under an agreement with the Government of the United Republic of Tanzania, the Tribunal would provide the meals and incidentals to those contractual Security Officers augmenting the Tribunal's regular security contingent. As concerns the defence counsel, in accordance with the Directive on Assignment of Defence Counsel, the resources requested would provide for counsel to any accused found unable to provide his/her own legal representation (requirements of indigence as defined in article 4 of the Directive). Although the present Directive does not yet provide for two defence counsel, this is expected to be changed during the next session of the plenary, in line with the experience of both the Yugoslavia and the Rwanda Tribunals. Consequently, the present proposals take this into consideration in estimating the Rwanda Tribunal's requirements for 1997.

Hospitality

67. An amount of $5,000 relates to hospitality and official functions in connection with the work of the Tribunal.

General operating expenses

68. The resource requirements of $2,427,900 are broken down below:

(a) Rental and maintenance of premises ($835,300) relates to the following:

(i) Resources in the amount of $711,300 would provide for the rental of premises at AICC including one additional floor (the second floor of the Centre); vehicle workshops in Arusha and Kigali; offices at the

Amahoro Hotel and the former communication compound of the United Nations Assistance Mission for Rwanda (UNAMIR). Resources previously requested in 1996 under rental of premises have been reduced to reflect the discontinuation of rental of certain accommodations in Kigali, notably hotel accommodation and offices at the United Nations Children's Fund (UNICEF) building;

(ii) A new provision is requested under miscellaneous maintenance services ($100,000) to cover the cost of general maintenance of the facilities at Arusha and Kigali, comprising the offices, the detention facility and parking areas;

(iii) A new provision for elevator operation and maintenance ($12,000) is requested for the three elevators at AICC which are to be used exclusively by Tribunal personnel and detainees;

(iv) Resources in the amount of $12,000 are requested for cleaning materials and services;

(b) Resources amounting to $285,700 are requested for both Arusha and Kigali broken down as electricity and water ($40,000) for both the Arusha and Kigali offices and diesel fuel for the generators ($245,700) at AICC, the detention facility and the Kigali offices;

(c) An amount of $320,900 is requested under miscellaneous services to provide for bank charges ($60,000), external audit fees ($45,500), internal auditing in connection with Office of Internal Oversight Services amounting to $24,500, vehicle and general insurance ($40,900) and the services of a freight forwarder ($150,000) to effect clearance, international freight movement and storage and ramp operation, in particular for cargo delivered by sea to Dar es Salaam or Mombasa;

(d) In view of the split locations of the Tribunal's operation between Arusha, Kigali and The Hague, as well as the fieldwork of its investigative staff, effective communications becomes a crucial element for the Tribunal to implement its programme of work. Resources for communications amounting to $786,000 are requested to provide for: (a) pouch and courier services ($40,000); (b) international mail ($5,000); (c) rental of space segment on Intelsat for communication links ($385,000); (d) official fax and telephone calls, including telephone installations, local messaging and satellite access ($300,000); and (e) various frequency rentals and circuits ($56,000);

(e) Resources at the existing level of $200,000 are requested for the maintenance and repair of vehicles. A number of the vehicles taken over from UNAMIR are old and require heavy repair work; many lack tyres or have mechanical defects.

Supplies and materials

69. Resources in the amount of $955,600 would provide for stationery and EDP consumables ($320,000); audio/video supplies ($48,000); archaeological/

anthropological supplies ($24,000); spare parts and supplies for office and other equipment ($100,000); security and safety supplies, including uniforms ($140,000); film and film processing ($36,000); journals, periodicals and library books ($10,000); clothing for detainees and witnesses ($25,000); laundry services for security staff and detainees ($30,000); medical supplies ($12,000); food and ration supplies for detainees and witnesses ($43,000); petrol, oils and lubricants ($157,600); and other miscellaneous items ($10,000).

Furniture and equipment

70. Resources in the amount of $1,770,900 are requested to provide for office furniture ($50,000) and for the following equipment ($1,720,900):

(a) Replacement of used EDP equipment provided by UNAMIR as transfers, and from voluntary contributions ($151,900); acquisition of network hardware ($160,000), software upgrade and miscellaneous EDP equipment ($80,000);

(b) Resources for other miscellaneous equipment including workshop equipment and tools ($50,000);

(c) Communications equipment ($596,000); rural telephone link and Inmarsat for Kigali ($50,000); mobile radios ($76,000); miscellaneous equipment such as test equipment, UPS and communication tools ($40,000) and audiovisual equipment ($170,000) for the area designated as the press and witness areas in the courtroom, separate from the actual court area and proceedings. In addition, audiovisual equipment in the amount of $260,000 would be required, initially for the temporary facility to be used as a second courtroom, and subsequently for the permanent courtroom;

(d) Security and safety equipment in the amount of $83,000;

(e) Vehicles: resources estimated at $600,000 would provide for the replacement of approximately 30 vehicles acquired from UNAMIR, which are old and beyond repair as a consequence of considerable mission use.

V. CONCLUSION

71. On the basis of the proposals detailed in the preceding paragraphs, it is estimated that resources in the amount of $41,366,600 net would be required for the operation of the International Criminal Tribunal for Rwanda for the period from 1 January to 31 December 1997. An additional amount of $5,068,400 would be required for staff assessment, to be offset by income from staff assessment of the same amount. The General Assembly has already financed the period from 1 January to 30 June 1997 in the amount of $20,871,100 net ($23,114,950 gross) and may wish to finance the residual amount of $20,495,500 net ($23,320,050 gross) for the period from 1 July to 31 December 1997 according to the methodology established by the Assembly in its resolution 49/251 of 20 July 1995. Under this methodology, $10,247,750 net ($11,660,025 gross) would normally be chargeable in full to credits arising from the budget of the United Nations Assistance Mission for Rwanda and the balance of $10,247,750 net ($11,660,025 gross) would be assessable in accordance with the scale of

assessments, for the year 1997. However, the Secretary-General would point out that, with respect to the available credits from the budget of UNAMIR, there would be a shortfall of available resources under the gross assessment in the amount of $829,568. There would be sufficient credits available to meet the net charges to UNAMIR. The relevant figures are tabulated below.

	Gross $	Net $
Estimated 1997 new requirements for Rwanda Tribunal	23 320 050	20 495 500
Assessed amount[a]	11 660 025	10 247 750
UNAMIR[b]	11 660 025	10 247 750
Available UNAMIR credits[c]	10 830 457	13 183 931
Shortfall UNAMIR credits[d]	829 568	Surplus available

[a] Refers to the contributions assessed on Member States in accordance with the scale of assessments for the year 1997.

[b] Refers to the credits arising from previous budgets of UNAMIR as per methodology of General Assembly resolution 49/251.

[c] As per the report of the Advisory Committee on Administrative and Budgetary Questions (A/51/891).

[d] After deduction of credit shown in A/51/891.

72. Accordingly, the General Assembly may wish to assess the shortfall of $829,568 (gross) (net $0) against the peacekeeping scale while charging the amount of $10,830,457 gross ($10,247,750 net) to the unencumbered gross balance of the UNAMIR account.

Annex I

VOLUNTARY CONTRIBUTIONS

1. In its resolution 49/251 of 20 July 1995, the General Assembly invited Member States and other interested parties to make voluntary contributions to the Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General.

2. To date, cash contributions to the Voluntary Fund amount to $7,388,997, details of which are provided in the table below.

3. In addition, a number of Member States have made contributions-in-kind to the Tribunal; details as at March 1996 were included in the report of the Secretary-General on the performance of the Tribunal for 1995 (A/C.5/50/70, annex). Recently, these contributions have been augmented by the payment by the Government of Denmark of costs related to the lease of an aircraft for an initial period of three months to ensure secure and direct transportation of Tribunal staff between Arusha and Kigali. At the expiration of that period, the Government of Belgium provided resources through the Voluntary Fund for the continuation of the lease of the aircraft for a further period of one year.

4. With regard to the use of the resources of the Voluntary Fund, in view of the delays experienced by the Tribunal in attaining a fully operational phase until early 1996, expenditures from the Fund have been slower than expected. In 1996, estimated expenditures amounted to $1,993,900 and in 1997 approximately $1,821,300; details are provided in tables 1 to 9 in the main body of the present report. In addition to the use of the resources for the lease of an aircraft indicated above, as an interim measure, resources from the Fund were used in 1996 for the establishment of the Victims and Witnesses Support Section and the basic needs of the witnesses for the Prosecution and for the Defence.

5. In 1997, several projects have been or are being considered by the Tribunal for implementation, in addition to the use of the Voluntary Fund in support of the substantive operations of the Tribunal:

(a) Implementation of an information and records system following advice from the consultant to be engaged for review and advice on the area, including a database on evidence collected by the investigation teams in the field (see para. 39 of the main document);

(b) Production of a documentary on the historical background on the genocide to be used by the prosecution attorneys in court sessions;

(c) Witness protection programme: augmentation of the core operation, which is a new area for which expert advice would be required.

Status of contributions to the Voluntary Fund

A. Cash contributions

Contributor	Contribution received (US$)
Belgium	2 705 450
Canada	734 850
Chile	1 000
Denmark	43 452
Egypt	1 000
Greece	20 000
Holy See	3 000
Ireland	237 704
Israel	7 500
Lebanon	3 000
Netherlands	2 995 531
New Zealand	34 792
Norway	49 983
Spain	150 000
Sweden	68 729
Switzerland	188 007
United Kingdom of Great Britain and Northern Ireland	95 000
United States of America	50 000
Total	7 388 997

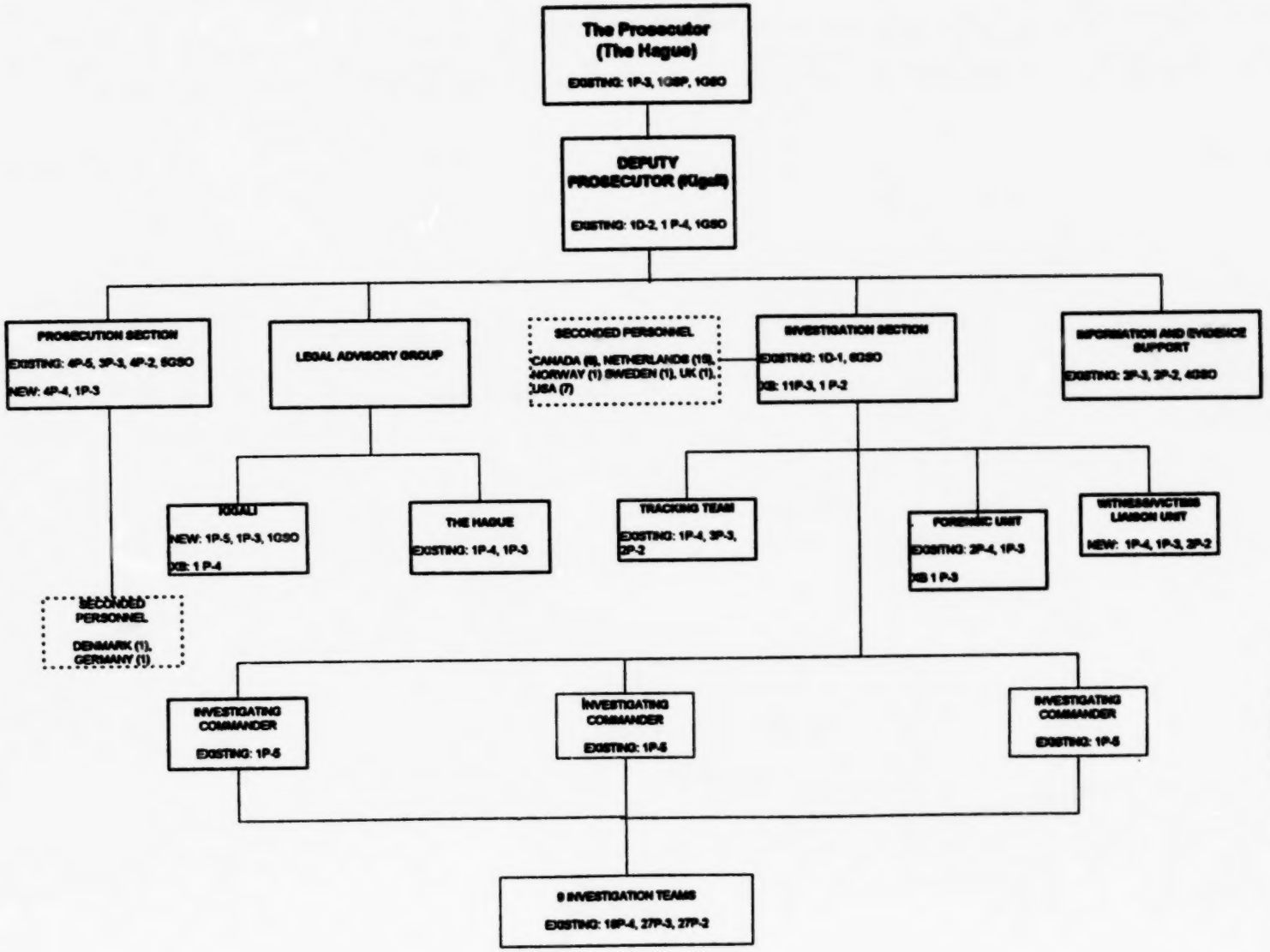
B. Gratis personnel as at 1 April 1997

Contributor	Function	Number of personnel
Canada[a]	Investigator	6
Denmark	Legal Adviser/Officer	2
Germany	Legal Adviser	1
Netherlands	Investigator	15
Norway	Investigator	1
Sweden	Investigator	1
United Kingdom	Investigator/Team Leader	1
United States of America	Investigator/Legal Officer	1
United States of America	Investigator	2
United States of America	Investigator/Computer Analyst	4
Total		34

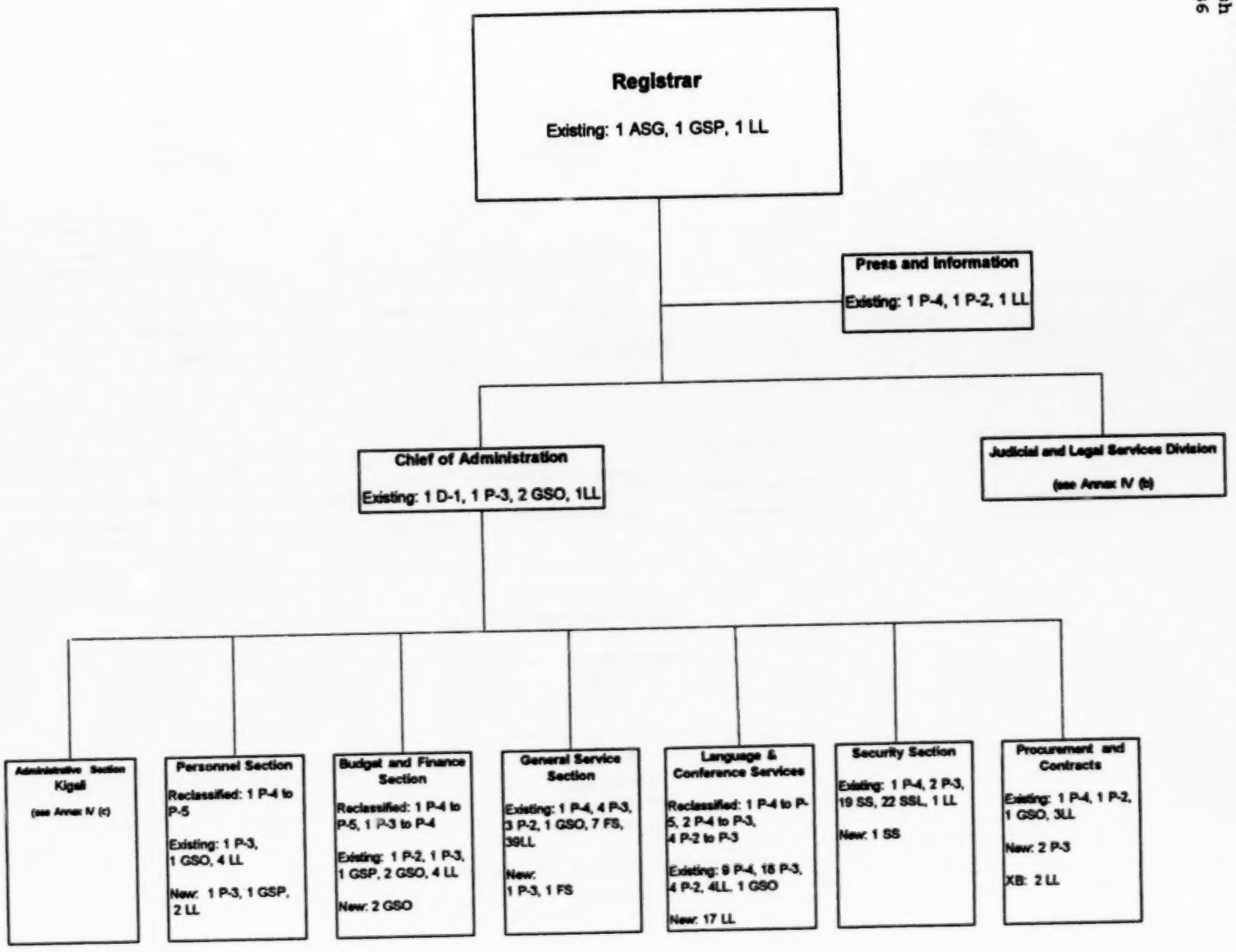
[a] Funded by a contribution from the Government of the Netherlands.

Annex II
THE CHAMBERS

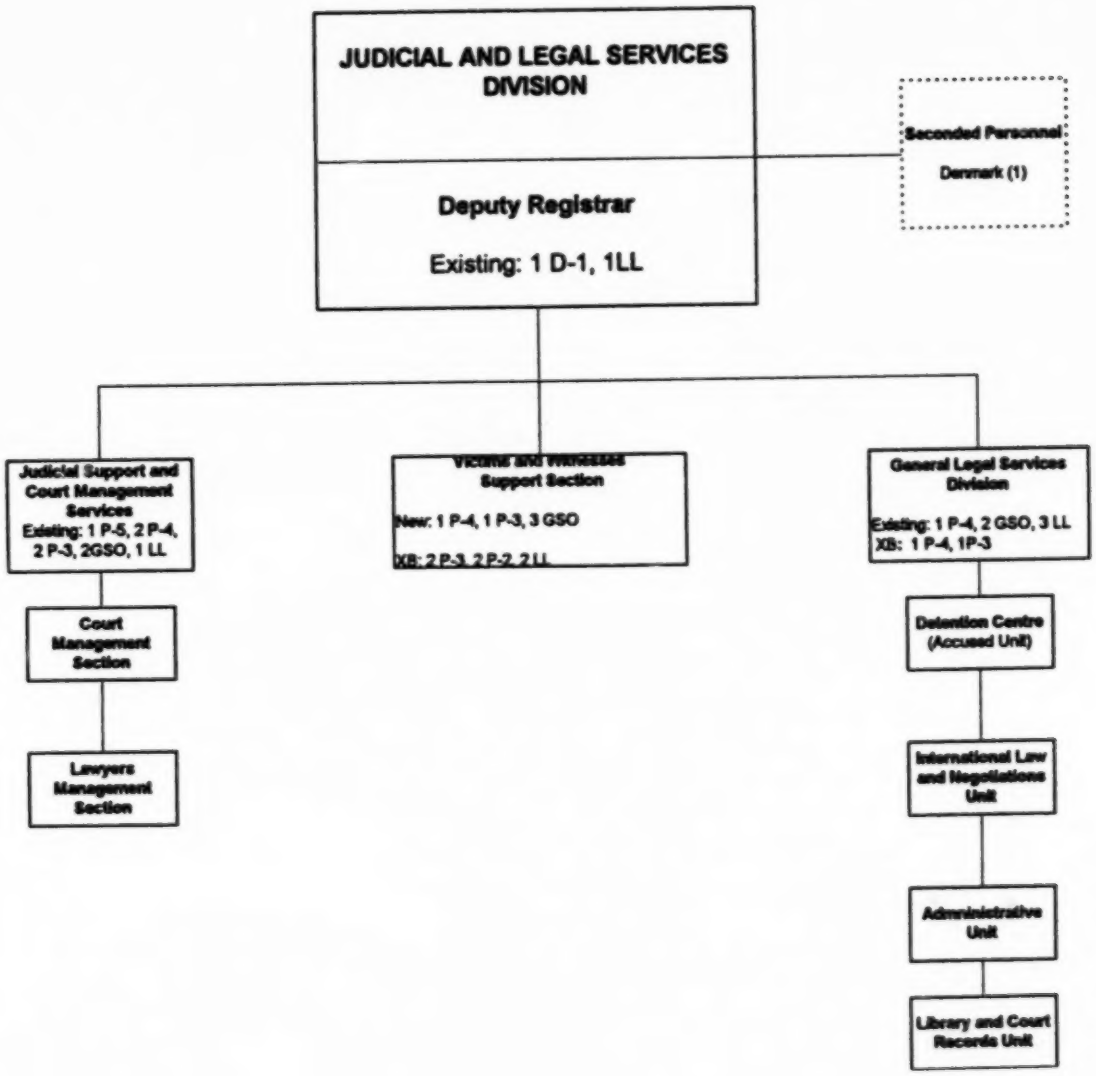
Annex III
OFFICE OF THE PROSECUTOR



Annex IV
THE REGISTRY

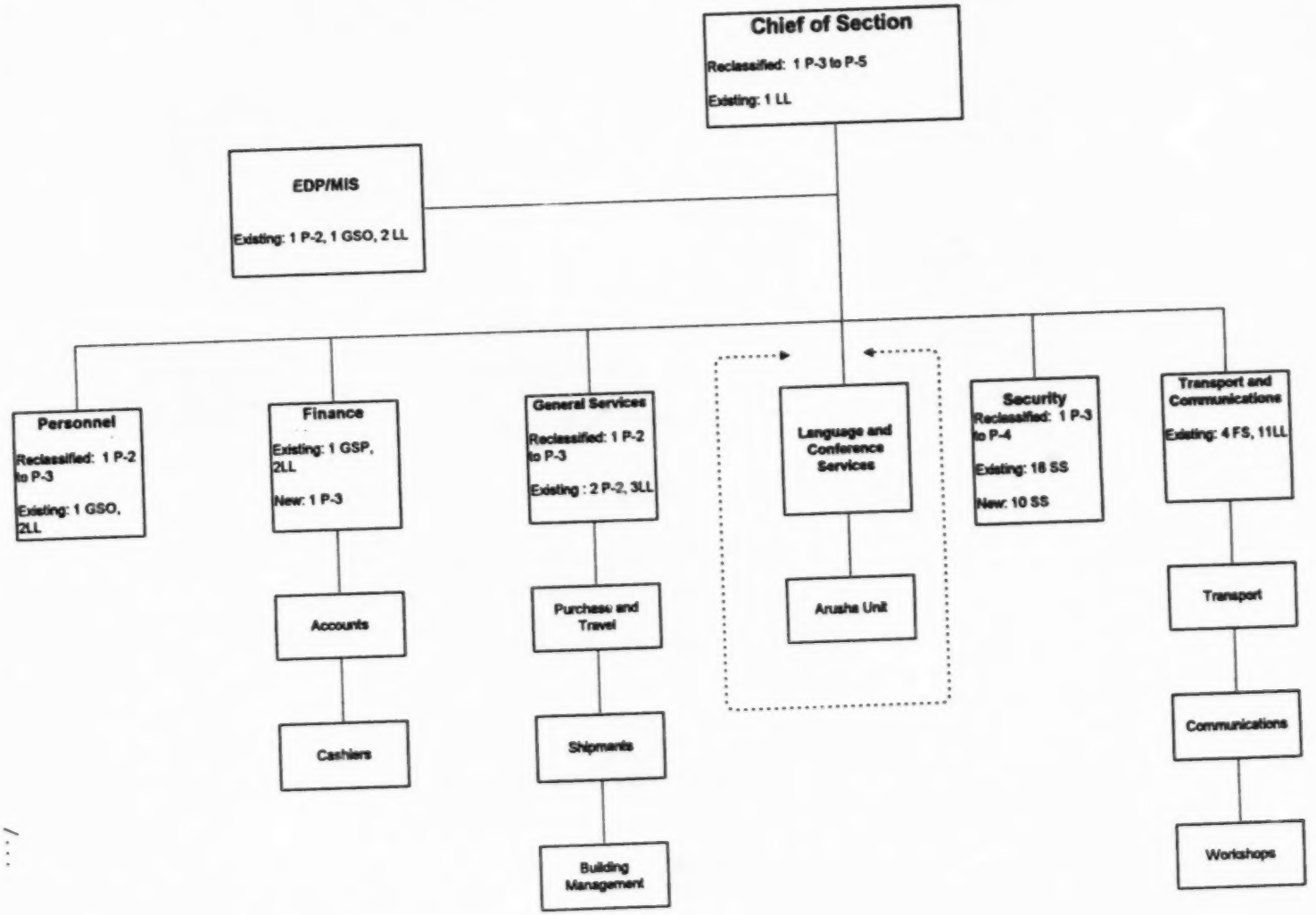

Registrar
Existing: 1 ASG, 1 GSP, 1 LL
Press and Information
Existing: 1 P-4, 1 P-2, 1 LL
Chief of Administration
Existing: 1 D-1, 1 P-3, 2 GSO, 1LL
Judicial and Legal Services Division
(see Annex IV (b)
Administrative Section Kigali
(see Annex IV (c)
Personnel Section
Reclassified: 1 P-4 to P-5
Existing: 1 P-3, 1 GSO, 4 LL
New: 1 P-3, 1 GSP, 2 LL
Budget and Finance Section
Reclassified: 1 P-4 to P-5, 1 P-3 to P-4
Existing: 1 P-2, 1 P-3, 1 GSP, 2 GSO, 4 LL
New: 2 GSO
General Service Section
Existing: 1 P-4, 4 P-3, 3 P-2, 1 GSO, 7 FS, 39LL
New: 1 P-3, 1 FS
Language & Conference Services
Reclassified: 1 P-4 to P-5, 2 P-4 to P-3, 4 P-2 to P-3
Existing: 9 P-4, 18 P-3, 4 P-2, 4LL, 1 GSO
New: 17 LL
Security Section
Existing: 1 P-4, 2 P-3, 19 SS, 22 SSL, 1 LL
New: 1 SS
Procurement and Contracts
Existing: 1 P-4, 1 P-2, 1 GSO, 3LL
New: 2 P-3
XB: 2 LL

Annex IV (b)
The Registry


JUDICIAL AND LEGAL SERVICES DIVISION
Deputy Registrar
Existing: 1 D-1, 1LL
Seconded Personnel
Denmark (1)
Judicial Support and Court Management Services
Existing: 1 P-5, 2 P-4, 2 P-3, 2GSO, 1 LL
Court Management Section
Lawyers Management Section
Victims and Witnesses Support Section
New: 1 P-4, 1 P-3, 3 GSO
XB: 2 P-3, 2 P-2, 2 LL
General Legal Services Division
Existing: 1 P-4, 2 GSO, 3 LL
XB: 1 P-4, 1P-3
Detention Centre (Accused Unit)
International Law and Negotiations Unit
Administrative Unit
Library and Court Records Unit

Annex IV (c)

KIGALI ADMINISTRATIVE SERVICES SECTION



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Annex V

A. NEW TEMPORARY POSTS

Post	Number of personnel	Title	Referenced paragraph(s)
Office of the Prosecutor			
P-5	1	Chief, Legal Advisory Group	37
P-4	4	Attorney, Prosecution Section	33
P-4	1	Chief, Witnesses and Victims Liaison Unit	35
P-3	1	Attorney, Prosecution Section	33
P-3	1	Coordinator, Witnesses and Victims Liaison Unit	35
P-3	1	Legal Adviser, Legal Advisory Group	37
P-2	2	Administrative Officer, Witnesses and Victims Liaison Unit	35
GSO	1	Secretarial support, Legal Advisory Group	37
The Registry			
P-4	1	Chief, Victims and Witnesses Support Section	52
P-3	1	Coordinator, Victims and Witnesses Support Section	52
P-3	1	Personnel Officer	55
P-3	1	EDP/IMS	56/57
P-3	2	Procurement Contracts Officer	60
P-3	1	Chief of Finance, Kigali Administrative Services	61
GSP	1	Personnel Administrative Assistant	55
GSO	3	Secretarial clerical support, Victims and Witnesses Support Section	52
GSO	2	Budget/Finance Assistant	54
LL	2	Personnel Assistant	55
LL	17	Local language Translator	58
SS	11	Security Officer	59/61
FS	1	Communications Officer	56/57
Total	56		

B. RECLASSIFICATION OF POSTS

Post	Number of personnel	Title	Referenced paragraph(s)
The Registry			
P-4 to P-5	1	Chief, Language and Conference Services	58
P-4 to P-5	1	Chief, Personnel	55
P-4 to P-5	1	Chief, Budget and Finance	54
P-3 to P-5	1	Chief of Section, Kigali Administrative Services	61
P-3 to P-4	1	Chief of Security, Kigali Administrative Services	61
P-3 to P-4	1	Deputy Chief, Budget and Finance	54
P-4 to P-3	2	Translator	58
P-2 to P-3	4	Translator	58
P-2 to P-3	1	Chief of Communications	56/57
P-2 to P-3	1	Chief of Personnel, Kigali Administrative Services	61
P-2 to P-3	1	Chief of General Services, Kigali Administrative Services	61
Total	15		

Annex VI

STATUS OF THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS (A/50/923)

Recommendation

Paragraph 4: The Committee emphasizes the need for uniformity and comparability between the presentation of the budgets of the two ad hoc Tribunals.

Measures taken by the Administration

In response to the recommendation of the Advisory Committee, the Secretary-General structured the 1997 reports on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/C.5/51/30) and on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 to enable comparability between the two budgets.

Recommendation

Paragraph 7: Consideration should be given to granting the International Tribunal for Rwanda delegation of authority in personnel matters.

Measures taken by the Administration

As the Committee is aware, the Tribunal for Rwanda has full authority to appoint and promote locally recruited staff.

No specific delegation of authority has yet been given to the Rwanda Tribunal with respect to the recruitment and administration of internationally recruited personnel. However, whenever a post needs to be filled, the Tribunal is asked to prepare a job description which is then reviewed and duly classified by the Office of Human Resources and Management (OHRM). Some posts are then advertised by OHRM in order to solicit applications from both internal and external candidates. While candidates are evaluated by the Tribunal and by OHRM, a final recommendation for recruitment is normally made by the Tribunal on the basis of its specific requirements.

While under normal circumstances full delegation of authority for personnel would have been provided to the Tribunal, a number of reasons have in part contributed to the delay in this regard. Firstly, there has been a limited

number of qualified staff at senior positions for the necessary appointment and promotion bodies to be established to enable a fair and unbiased evaluation of prospective candidates; and secondly, pending the report of the Office of Internal Oversight Services, it was considered prudent to defer consideration of full delegation of authority until the Secretary-General was able to benefit from the views of that Office.

Recommendation

Paragraph 9: The conditions of service and allowances which would be approved for the judges of the International Tribunal for the former Yugoslavia should be extended to the judges of the International Tribunal for Rwanda.

Measures taken by the Administration

Pending a decision by the General Assembly with regard to the salaries and allowances of judges for both Tribunals, in line with the recommendations of the Advisory Committee, the Secretary-General has proceeded to extend the conditions of service and allowances applicable to the International Tribunal for the former Yugoslavia also to the International Tribunal for Rwanda

Recommendation

Paragraph 22: Procedures should be established to identify bona fide indigents. The Committee also recommends that procedures should be established for recovery from accused persons who have been provided with defence counsel and are found not to qualify for such support.

Measures taken by the Administration

In accordance with the articles on the remuneration for defence counsel as indicated in the Directive on Assignment of Defence Counsel approved by the Tribunal on 9 January 1996, certain conditions and procedures have been established by the Tribunal for determining indigence and access to defence counsel.

Recommendation

Paragraph 23: Vigorous efforts should be made by the Registrar to ensure that the defence counsel list includes lawyers of various systems of jurisprudence.

Measures taken by the Administration

The Tribunal has constituted an Advisory Panel for assignment of defence counsel. Further, the Directive on Assignment of Defence Counsel has been implemented with the establishment of an official list of lawyers who could be assigned as counsel for the accused. The list of those countries from which defence counsel may be selected is not an exhaustive list and may be extended based on the qualifications of proposed counsel (article 13 of the Directive).

Recommendation

Paragraph 24: Should there be detainees for the International Tribunal for Rwanda in Europe, consideration should be given to using the facilities at The Hague for temporary detention of accused individuals prior to departure for Arusha so as to minimize costs.

Measures taken by the Administration

The recommendation of the Advisory Committee has been noted by the Administration and would be applied where appropriate.

Recommendation

Paragraph 32: Specific guidelines should be issued on the requirements for receipt of contributions and application of funds for the Tribunal at the earliest opportunity.

Measures taken by the Administration

Guidelines have not yet been established. Further, the Administration is mindful that extrabudgetary resources should be used primarily to supplement rather than to substitute for the core resources provided under the assessed budget. To date, resources from the Voluntary Fund have been used for the establishment of the Victims and Witnesses Unit, which was constituted in mid-1996 after the assessed budget was approved. Although it would have been a legitimate request for resources under the assessed budget, timing did not allow for it in 1996 (as included in the 1997 proposals). Further, certain contributions which have been provided have been earmarked for specific purposes, such as lease of aircraft, recruitment of personnel, and so on. The draft guidelines provided for the International Tribunal for the former Yugoslavia will be examined with a view as to their adaptability for use by the Rwanda Tribunal.